

~~MEMO ENDORSED~~

**THE CITY OF NEW YORK
LAW DEPARTMENT**

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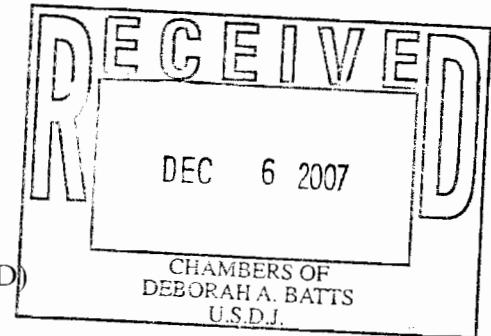
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December 4, 2007

BY HAND

Honorable Michael H. Dolinger
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Laster v. Mancini et al., 07 CV 8265 (DAB) (MHD)



Dear Judge Dolinger:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the supervising attorney for defendant New York City Police Department.¹ I am writing to respectfully request a sixty-day enlargement of time, from December 5, 2007 to February 4, 2008 within which defendants Detective Robert J. Mancini, Police Officer Douglas Vincent, Lieutenant James Gribben and the New York City Police Department may answer or otherwise respond to the complaint.² I write directly to the Court because plaintiff is incarcerated and proceeding pro se in this matter. No previous request for an extension has been made by defendants.

The complaint alleges, inter alia, that plaintiff was subjected to excessive force. In addition to the New York City Police Department, plaintiff also purports to name Detective Robert J. Mancini, Police Officer Douglas Vincent, Lieutenant James Gribben as defendants. Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. The enlargement of time will afford us the opportunity to investigate the matter.

¹ This case has been assigned to Assistant Corporation Counsel Bradford C. Patrick, who is presently awaiting admission to the bar and is handling this matter under supervision. Mr. Patrick may be reached directly at (212) 788-1575. The City respectfully submits that the New York City Police Department is a non-suable entity.

² Although this office does not currently represent Detective Mancini, Officer Vincent, or Lieutenant Gribben, we respectfully make this request on their behalf in order that their defenses are not jeopardized while representational issues are being resolved.

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Moreover, the enlargement will allow us to ascertain whether the individual defendants have been properly served. If proper service has been effectuated then, pursuant to Section 50-k of the New York General Municipal Law, this office must determine, based on a review of the case, whether we may represent the individual defendants. Each individual defendant must then decide whether he wishes to be represented by this office. If so, we must obtain his written authorization. Only after this procedure has been followed can we determine how to proceed in this case.

In view of the foregoing, it is respectfully requested that the Court grant the within request extending defendants Detective Robert J. Mancini, Police Officer Douglas Vincent, Lieutenant James Gribben and the New York City Police Department's time to answer or otherwise respond to the complaint until February 4, 2008.

Thank you for your consideration in this regard.

SO ORDERED

DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

Anna Nguyen
Assistant Corporation Counsel
Special Federal Litigation Division

cc: BY MAIL

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